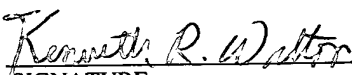


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|---|--|---|--|
| U. S. PATENT AND TRADEMARK OFFICE<br>U.S. DEPARTMENT OF COMMERCE  |  | ATTORNEY'S DOCKET NUMBER<br>21595YP                                 |  |
|   |  | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><b>10/582414</b> |  |
| TRANSMITTAL LETTER TO THE UNITED STATES<br>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br>CONCERNING A FILING UNDER 35 U.S.C. 371  | INTERNATIONAL APPLICATION NO.<br>PCT/US2004/041115 | INTERNATIONAL FILING DATE<br>December 8, 2004                       | PRIORITY DATE CLAIMED<br>December 12, 2003 |
| TITLE OF INVENTION<br>PROCESS FOR PREPARING HEXAHYDROPYRIMIDO[1,2-A]AZEPINE-2-CARBOXYLATES AND RELATED COMPOUNDS  |  |   |  |
| APPLICANT(S) FOR DO/EO/US<br>David Askin, David Conlon, Jaemoon Lee, Brenda Pipik, Yong-Li Zhong and Yoshinori Kohmura  |  |   |  |
| <b>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</b>  |  |   |  |
| <ol style="list-style-type: none"><li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li><li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li><li>3. <input type="checkbox"/> This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (21) indicated below.</li><li>4. <input type="checkbox"/> The US has been elected (PCT Article 31).</li><li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed [35 U.S.C. 371(c)(2)]<ol style="list-style-type: none"><li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li></ol></li><li>6. <input type="checkbox"/> An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].<ol style="list-style-type: none"><li>a. <input type="checkbox"/> is attached hereto</li><li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li></ol></li><li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)].<ol style="list-style-type: none"><li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li><li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li></ol></li><li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].</li><li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].</li><li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].</li></ol> |  |   |  |
| <b>Items 11 to 20 below concern other document(s) or information included:</b>  |  |   |  |
| <ol style="list-style-type: none"><li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li><li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li><li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li><li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li><li>15. <input type="checkbox"/> A substitute specification.</li><li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li><li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li><li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li><li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li><li>20. <input type="checkbox"/> Other items or information:</li></ol>   |  |   |  |

|   |              |   |   |                                     |                   |
|---|--------------|---|---|-------------------------------------|-------------------|
| U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><b>10/582414</b>   |              | INTERNATIONAL APPLICATION NO.<br>PCT/US2004/041115                            |   | ATTORNEY'S DOCKET NUMBER<br>21595YP |                   |
| The following fees are submitted:   |              |   |   | CALCULATIONS                        | PTO USE ONLY      |
| 21. <input checked="" type="checkbox"/> Basic national fee.....   |              | \$300   |   | \$300.00                            |                   |
| 22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))<br>If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....  |              | \$0   |   |                                     |                   |
| All other situations.....   |              | \$200   |   | \$200.00                            |                   |
| 23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))<br>If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....  |              | \$0   |   |                                     |                   |
| Search fee [37 CFR 1.445(a)(2)] has been paid on the international application to the USPTO as an International Searching Authority.....  |              | \$100   |   | \$400.00                            |                   |
| International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB .....  |              | \$400   |   |                                     |                   |
| All other situations.....   |              | \$500   |   |                                     |                   |
| <b>TOTAL OF 21, 22 and 23=</b>  |              |   |   | <b>\$900.00</b>                     |                   |
| <input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.   |              |   |   |                                     |                   |
| Total Sheets  | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE  |                                     |                   |
| 119 - 100 =   | 19 /50       | 0.38 = 1  | X \$250.00  | \$250.00                            |                   |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].  |              |   |   |                                     |                   |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA  | RATE  |                                     |                   |
| Total Claims  | 15 - 20 =    | 0   | X \$50.00   | \$0.00                              |                   |
| Independent Claims  | 7 - 3 =      | 4   | X \$200.00  | \$800.00                            |                   |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |              |   | + \$360.00  |                                     |                   |
| <b>TOTAL OF ABOVE CALCULATIONS (SUBTOTAL)</b>   |              |   |   | <b>\$1,950.00</b>                   |                   |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).   |              |   |   | +                                   |                   |
| <b>TOTAL NATIONAL FEE</b>   |              |   |   | <b>=</b>                            | <b>\$1,950.00</b> |
| Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40.00 per property.  |              |   |   | +                                   |                   |
| <b>TOTAL FEES ENCLOSED</b>  |              |   |   | <b>=</b>                            | <b>\$1,950.00</b> |
|   |              |   |   | Amount to be refunded:              |                   |
|   |              |   |   | Amount to be charged:               |                   |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.<br>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-2755</u> in the amount of <u>\$1,950.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.<br>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. <u>13-2755</u> . A duplicate copy of this sheet is enclosed. |              |   |   |                                     |                   |
| <b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the International Application to pending status.</b>  |              |   |   |                                     |                   |
| SEND ALL CORRESPONDENCE TO:<br><div style="border: 1px solid black; padding: 2px; display: inline-block;">Customer No. 000210</div>   |              |   |   |                                     |                   |
| MERCK & CO., INC.<br>Patent Department, RY60-30<br>P.O. Box 2000<br>126 East Lincoln Avenue<br>Rahway, New Jersey 07065-0970  |              |   | <br>SIGNATURE |                                     |                   |
| DATE: <u>June 8, 2006</u><br>PHONE #: <u>(732) 594-3462</u>   |              |   | Kenneth R. Walton<br>NAME<br><u>32.951</u><br>REGISTRATION NUMBER                                 |                                     |                   |

10/582414

2006 JUN 08 08 JUN 2006

**Page 1A of TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING  
A FILING UNDER 35 U.S.C. 371**

**Attorney Docket No.:** 21595YP

**International Appln No.:** PCT/US2004/041115

**International Filing Date:** December 8, 2004

**Priority Date:** December 12, 2003

**Title:** PROCESS FOR PREPARING  
HEXAHYDROPYRIMIDO[1,2-A]AZEPINE-2-CARBOXY  
LATES AND RELATED COMPOUNDS

**Inventors:** David Askin, David Conlon, Jaemoon Lee, Brenda Pipik,  
Yong-Li Zhong and Yoshinori Kohmura

| EXPRESS MAIL CERTIFICATE   |   |
|--|---|
| DATE OF DEPOSIT  | <u>June 8, 2006</u>                                   |
| EXPRESS MAIL NO.   | <u>EV660601499 US</u>                                 |
| I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING<br>DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS<br>EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE<br>DATE IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR<br>PATENTS P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450. |   |
| MAILED BY  | <u><i>Subrata B. Choudhury</i></u> DATE <u>6/8/06</u> |